

P21313.A04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : S. SHIBAMURA et al

Appl. No. : 09/920,805

Group Art Unit : 1642

Filed : August 3, 2001

Examiner : Unknown

: COMPOSITION FOR IMMUNOHISTOCHEMICAL STAINING

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

RECEIVED

Commissioner of Patents and Trademarks
Washington, D.C. 20231

MAR 05 2002

TECH CENTER 1600/2900

Sir:

In accordance with the duty of disclosure under 37 C.F.R. Sections 1.56, 1.97, and 1.98, Applicants hereby submit a copy of a Supplementary European Search Report dated December 14, 2001 conducted in European Patent Application No. 97941192, of which the present application is a family member. The Examiner is referred to the Supplementary European Search Report to inspect the relevance indicated by the European Examiner.

U.S. Patent No. 5,521,061

U.S. Patent No. 5,547,836

WO 94/25853

WO 96 02839

Foli et al., "Antibody-Indocyanin Conjugates for Immunophotodetection of Human Squamous Cell Carcinoma in Nude Mice," Cancer Research, Vol 54, pp 2643-2649 (1994)

Ito et al., "Development of Agents for Reinforcement of Fluorescence on Near-infrared Ray Excitation for Immunohistological Staining," Bioorganic & Medicinal Chemistry, Vol 6, pp 613-618 (1998)

Applicants note that the Annex to the Supplementary European Search Report indicates that U.S. Patent Nos. 5,677,192 and 5,723,342 are family members of WO 94/25853, and that U.S. Patent Nos. 5,112,960, 5,330,900 and 5,639,907 are family members of U.S. Patent No. 5,547,836. For the convenience of the Examiner, copies of these U.S. family members are also enclosed.

Copies of the above-listed documents are enclosed accompanied by a duly completed Form PTO-1449 listing these documents. Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning an initialed copy of the Form PTO-1449 with the next communication from the Patent and Trademark Office.

Applicants note that while this Supplemental Information Disclosure Statement is being filed more than three months from the filing date, Applicants have not received a first action on the merits from the U.S. Patent and Trademark Office. Accordingly, consideration of the enclosed document is required under 37 C.F.R. 1.97(b)(3).

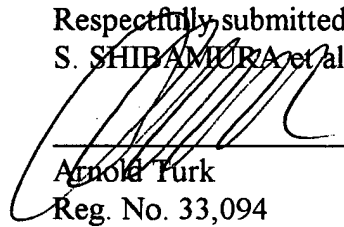
However, if the first action on the merit has been mailed prior to the filing date of this disclosure statement, Applicants hereby authorize the Commissioner to charge any fees necessary to ensure consideration of the documents cited herein to Deposit Account No. 19-0089.

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Should the Examiner have any questions or comments regarding this matter, the undersigned may be contacted at the below-listed telephone number.

Respectfully submitted,
S. SHIBAMURA et al



Arnold Turk
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March 4, 2002
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